Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 222 MD 2022

Page 1 of 7

August 23, 2022



CAPTION

Pom of Pennsylvania, LLC,

Petitioner

٧.

Bureau of Liquor Control

Enforcement of the Pennsylvania

State Police; Scott Miller;

James Jones; Scott

Berdine; and Pennsylvania Gaming

Control Board Respondents

CASE INFORMATION

Initiating Document:

Petition for Review

Case Status:

Active

Case Processing Status:

June 9, 2022

Awaiting Petitioner Paperbooks

Journal Number:

Case Category:

Miscellaneous

Case Type(s):

Equity

CONSOLIDATED CASES

RELATED CASES

Docket No / Reason

418 MD 2018

Related

Same Party

503 MD 2018

Related

Туре

Same Party

COUNSEL INFORMATION

Petitioner

Pom of Pennsylvania, LLC

Pro Se:

No

IFP Status:

Attorney:

Haverstick, Matthew Hermann

Law Firm:

Kleinbard, LLC

Address:

Three Logan Square

1717 Arch St FI 5 Phlladelphia, PA 19103

Phone No:

(215) 568-2000

Fax No: (215) 568-0140

Attorney: Law Firm: Voss, Joshua John Kleinbard LLC

Address:

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Phone No:

(267) 443-4114

Fax No:

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

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Petitioner

Pom of Pennsylvania, LLC

Pro Se:

No

IFP Status:

Attorney:

Vance, Shohin Hadizadeh

Law Firm: Address:

Kleinbard, LLC Three Logan Square 1717 Arch St 5th FI

Philadelphia, PA 19103

Phone No:

(215) 568-2000

Fax No: (215) 568-0140

Attorney:

Dang, Miranda Lu Kleinbard, LLC

Law Firm: Address:

Hogan & Vandenberg Immigration Law

1608 Walnut St Ste 1301 Philadelphia, PA 19103

Phone No:

(267) 535-5759

Fax No:

Respondent

Pennsylvania State Police, Bureau of Liquor Control Enforcement

Pro Se:

No

IFP Status:

Attorney:

Romano, Karen Mascio

Law Firm:

Pennsylvania Office of Attorney General, 16th Floor, Strawberry Square, Harrisburg, PA

Address:

Pa Ofc Of Attorney General Strawberry Sq FI 15

Harrisburg, PA 17120

Phone No:

(717) 787-2717

Fax No:

Attorney:

Boland, Nicole Jeanne

Law Firm:

Pennsylvania Office of Attorney General, 16th Floor, Strawberry Square, Harrisburg, PA

Address:

15TH FI Strawberry Sq

Pa Office Of Attorney General

Harrisburg, PA 17120

Phone No:

(717) 783-3146

Fax No:

Respondent

Pennsylvania Gaming Control Board

Pro Se:

No

IFP Status:

Attorney:

Cook, Stephen S.

Law Firm:

Address:

Pennsylvania Gaming Control Board 303 Walnut St

5th Floor Commonwealth Tower

Harrisburg, PA 17101

Phone No:

(717) 346-8300

Fax No:

Attorney:

Zimmermann, Chad Westcott

Law Firm:

PENNSYLVANIA GAMING CONTROL BOARD

Address:

Pa Gaming Control Board

303 Walnut St FI 5 Harrisburg, PA 17101

Phone No:

(717) 265-8356

Fax No:

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COUNSEL	INFORMATION
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Respondent

Miller, Scott

Pro Se:

No

IFP Status:

Attorney:

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Law Firm:

Pennsylvania Office of Attorney General, 16th Floor, Strawberry Square, Harrisburg, PA

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Fax No:

Attorney:

Boland, Nicole Jeanne

Law Firm:

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Phone No:

(717) 783-3146

Fax No:

Respondent

Jones, James

Pro Se:

No

IFP Status:

Attorney:

Romano, Karen Mascio

Law Firm:

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Fax No:

Attorney:

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Harrisburg, PA 17120

Phone No:

(717) 783-3146

Respondent

Berdine, Scott

No

Pro Se: IFP Status:

Attorney:

Romano, Karen Mascio

Law Firm:

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Miscellaneous Docket Sheet

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Commonwealth Court of Pennsylvania



		FEE INFORMATION		
Fee Dt	Fee Name	Fee Amt Receipt Dt	Receipt No	Receipt Amt
04/11/2022	Miscellaneous Docket Filing Fee	70.25 04/11/2022	2022-CMW-H-000721	70.25

AGENCY/TRIAL COURT INFORMATION

Notice of Appeal Filed:

Order Appealed From:

Order Type:

Documents Received: April 11, 2022

Court Below:

County:

Judge:

Docket Number:

Division:

OTN:

Judicial District:

ORIGINAL RECORD CONTENT

Original Record Item

Filed Date

Content Description

Date of Remand of Record:

BRIEFING SCHEDULE

Petitioner

Pom of Pennsylvania, LLC

Brief

Respondent

Berdine, Scott

Brief

Due: September 21, 2022

Filed:

Jones, James

Brief

Due: September 21, 2022

Filed:

Miller, Scott

Brief

Due: September 21, 2022

Filed:

Pennsylvania State Police, Bureau of Liquor Control

Enforcement

Brief

Due: September 21, 2022

Filed:

		DOCKET ENTRY		
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
April 11, 2022	Petition for Review Filed			
	Pom of Pennsylvania, LLC		Petitioner	
April 14, 2022	Notice Exited			
	Commonwealth Court Filing Office			
April 14, 2022	Application to File Under Seal			
	Haverstick, Matthew Hermann	Pom of Pennsylvania, LLC	Petitioner	
Document Na	me: App to Seak Petition for Review			

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August 23, 2022				No Miles
		DOCKET ENTRY		
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
April 18, 2022	Amended - Petition for Review			
	Vance, Shohin Hadizadeh	Pom of Pennsylvania, LLC	Petitioner	
	Voss, Joshua John	Pom of Pennsylvania, LLC	Petitioner	
	Haverstick, Matthew Hermann	Pom of Pennsylvania, LLC	Petitioner	
Document Name:	First Amended Petition for Review	in the Nature of a Complaint		
April 20, 2022	Order Filed Per Curiam			04/21/2022
Decument Name	Temporary seal is GRANTED			
		consideration of Petitioner's unoppo	and "Application	to Saal Potition fo
Comment.	Review" (Application), which see addresses of the individual Re- hereby GRANTED. Further, it appearing that Petii Prothonotary is directed to dock	eks to temporarily seal the current F spondents until a redacted Petition tioner recently filed a redacted Pe ket the same and remove the origina	Petition for Review for Review is filed tition for Review al Petition for Rev	containing the home d, said Application is with this Court, the iew filed on April 11
	2022, from the docket. Once remo	oved, the Prothonotary may also lift the	temporary seal on the	nis case.
May 9, 2022	Entry of Appearance			
	Romano, Karen Mascio	Berdine, Scott	Respondent	
	Romano, Karen Mascio	Jones, James	Respondent	
	Romano, Karen Mascio	Miller, Scott	Respondent	
8	Romano, Karen Mascio	Pennsylvania State Police, Bureau o	Respondent	
	Boland, Nicole Jeanne	Jones, James	Respondent	
	Boland, Nicole Jeanne	Miller, Scott	Respondent	
	Boland, Nicole Jeanne	Berdine, Scott	Respondent	
	Boland, Nicole Jeanne	Pennsylvania State Police, Bureau o	Respondent	
Document Name:	of Karen Romano, Esq. and Nicole	Boland, Esq. on behalf of Respondent	ts	
May 9, 2022	Certificate of Service Filed			
	Haverstick, Matthew Hermann	Pom of Pennsylvania, LLC	Petitioner	
Document Name:	Of Petition For Review			
May 11, 2022	Stipulation Filed			
	Romano, Karen Mascio	Berdine, Scott	Respondent	
	Romano, Karen Mascio	Jones, James	Respondent	
	Romano, Karen Mascio	Miller, Scott	Respondent	
	Romano, Karen Mascio	Pennsylvania State Police, Bureau o	Respondent	
	Haverstick, Matthew Hermann	Pom of Pennsylvania, LLC	Petitioner	
Document Name:	Stipulation of Counsel			
May 16, 2022	Preliminary Objections	147		
	Romano, Karen Mascio	Berdine, Scott	Respondent	
	Romano, Karen Mascio	Jones, James	Respondent	
	Romano, Karen Mascio	Miller, Scott	Respondent	
	Romano, Karen Mascio	Pennsylvania State Police, Bureau o	Respondent	
Document Name:	to Amended Petition for Review			
June 9, 2022	Amended - Petition for Review			
	Haverstick, Matthew Hermann	Pom of Pennsylvania, LLC	Petitioner	
	Second Amended Petition for Revi			

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served no latible filed and be filed and be filed in according this Court or s. June 10, 2022 Application for Romano, Kare Romano, Kar	eliminary Objections 1, 2022, Responde 1, 2023, Responde 1, 20 1,	ents' Brief in Support of Pr 122. Petitioner's Brief in Op days of service of Respond A.P. 2113 and 2185(a).	Participant Type reliminary Objections (4 cop position to Preliminary Obje lents' Brief. A Reply Brief (
June 9, 2022 Order Filed Per Curiam Document Name: Briefing on Prescription of Romano, Kare Ro	eliminary Objections 1, 2022, Responde 1, 2023, Responde 1, 20 1,	s Set ents' Brief in Support of Pr 122. Petitioner's Brief in Op days of service of Respond A.P. 2113 and 2185(a).	reliminary Objections (4 cop	06/09/2022 ies) shall be filed		
Per Curiam Document Name: Briefing on Pre Comment: NOW, June Served no lat be filed and be filed in acculpon receipt this Court or s June 10, 2022 Application for Romano, Kare Preliminary Object Comment: NOW, June Complaint, Romano, Kare As MOOT, an June 27, 2022 Answer to App Haverstick, May Vance, Shohim Voss, Joshua Document Name: Petitioner POM Comment: Bureau of Lic Scott Berdine, July 5, 2022 Preliminary Object Romano, Kare Romano, Ka	o, 2022, Responde or than July 8, 20 served within 30 or ordance with Pa. R., of all briefs, the C	ents' Brief in Support of Pr 122. Petitioner's Brief in Op days of service of Respond A.P. 2113 and 2185(a).	position to Preliminary Obje	ies) shall be filed		
Comment: NOW, June 6 served no lat be filled and be filled in acco Upon receipt this Court or s June 10, 2022 Application for Romano, Kare Romano, Vane Complaint, Romano, Kare Romano, Ka	o, 2022, Responde or than July 8, 20 served within 30 or ordance with Pa. R., of all briefs, the C	ents' Brief in Support of Pr 122. Petitioner's Brief in Op days of service of Respond A.P. 2113 and 2185(a).	position to Preliminary Obje			
Romano, Kare Romano Document Name: Preliminary Of Complaint, Romano, Kare Romano, K	rountied out the bab		der indicating if this matter	4 copies), if any,		
Romano, Kare Document Name: Motion of Response Document Name: Preliminary Observation of President Preliminary Observation of President	Stay					
Romano, Kare Motion of Resident Per Curiam Preliminary Object Comment: NOW, June Complaint, Romano, Kare Roma		Berdine, Scott	Respondent			
Romano, Kare Document Name: Motion of Res June 17, 2022 Order Filed Per Curiam Document Name: Preliminary Off Comment: NOW, June Complaint, Re AS MOOT, an June 27, 2022 Answer to App Haverstick, Ma Vance, Shohin Voss, Joshua Document Name: Petitioner POM Comment: Bureau of Lie Scott Berdine, July 5, 2022 Preliminary Off Romano, Kare		Jones, James	Respondent			
Document Name: Motion of Respondent Name: Order Filed Per Curiam Document Name: Preliminary Off Comment: NOW, June Complaint, Respondent Name: Partitioner Now, June 27, 2022 Answer to App Haverstick, May Vance, Shohim Voss, Joshua Document Name: Petitioner POM Comment: Bureau of Lie Scott Berdine, Preliminary Off Romano, Kare		Miller, Scott	Respondent			
Per Curiam Document Name: Preliminary Ob Comment: NOW, June Complaint, Ro AS MOOT, an June 27, 2022 Answer to App Haverstick, Ma Vance, Shohin Voss, Joshua Document Name: Petitioner POM Comment: Bureau of Lic Scott Berdine, July 5, 2022 Preliminary Ob Romano, Kare		Pennsylvania State Polici iscovery	e, Bureau o Respondent			
Comment: NOW, June Complaint, Ro AS MOOT, an June 27, 2022 Answer to App Haverstick, Ma Vance, Shohin Voss, Joshua Document Name: Petitioner PON Comment: Bureau of Lie Scott Berdine, July 5, 2022 Preliminary Of Romano, Kare	- 12			06/17/2022		
Comment: NOW, June Complaint, Re AS MOOT, an June 27, 2022 Answer to App Haverstick, Ma Vance, Shohin Voss, Joshua Document Name: Petitioner PON Comment: Bureau of Lie Scott Berdine, July 5, 2022 Preliminary Of Romano, Kare	jections to First Am	nended Petition for Review D	ismissed/ Briefing Sched. Vac	ated		
Haverstick, Ma Vance, Shohin Voss, Joshua Document Name: Petitioner PON Comment: Bureau of Lic Scott Berdine, July 5, 2022 Preliminary Of Romano, Kare	NOW, June 17, 2022, Petitioner having filed a Second Amended Petition for Review in the Nature of a Complaint, Respondents' Preliminary Objections to the First Amended Petition for Review are DISMISSED AS MOOT, and the briefing schedule set forth in this Court's order of June 9, 2022, is VACATED.					
Vance, Shohin Voss, Joshua Document Name: Petitioner PON Comment: Bureau of Li Scott Berdine, July 5, 2022 Preliminary Of Romano, Kare Application for Haverstick, Ma	lication for Stay					
Voss, Joshua Document Name: Petitioner PON Comment: Bureau of Lic Scott Berdine, Preliminary Ot Romano, Kare	tthew Hermann	Pom of Pennsylvania, LL				
Document Name: Petitioner PON Comment: Bureau of Li Scott Berdine, July 5, 2022 Preliminary Ob Romano, Kare	Hadizadeh	Pom of Pennsylvania, LL	C Petitioner			
Comment: Bureau of Lic Scott Berdine, July 5, 2022 Preliminary Of Romano, Kare Rom		Pom of Pennsylvania, LL				
July 5, 2022 Preliminary Ob Romano, Kare Romano, Kare Romano, Kare Romano, Kare Document Name: to Second Am July 5, 2022 Application for Haverstick, Ma	uor Control Enfo		Motion of Respondent, nia State Police, Scott Mill	er, James Jones		
Romano, Kare Roman	to Stay Discovery					
Romano, Kare Romano, Kare Romano, Kare Romano, Kare Romano, Kare Document Name: to Second Am July 5, 2022 Application for Haverstick, Ma			December			
Romano, Kare Romano, Kare Romano, Kare to Second Am July 5, 2022 Application for Haverstick, Ma		Berdine, Scott	Respondent			
Document Name: to Second Am July 5, 2022 Application for Haverstick, Ma		Jones, James	Respondent			
July 5, 2022 Application for Haverstick, Ma		Miller, Scott	Respondent			
Haverstick, Ma		Pennsylvania State Polic	e, Bureau o Respondent			
	Relief					
Document Name: App to Submit	tthew Hermann	Pom of Pennsylvania, LL	C Petitioner			
	Amended Answer in	n Opposition to Motion to Sta	ay Discovery			
July 6, 2022 Certificate of S	ervice Filed tthew Hermann	Pom of Pennsylvania, LL	C Petitioner			
Document Name: of 2nd Amende		r om or r chilisylvania, EE	o romonor			
July 11, 2022 Entry of Appea	rance					
Zimmermann,	Chad Westcott	Pennsylvania Gaming Co	ontrol Board Respondent			
Cook, Stepher		Pennsylvania Gaming Co	ontrol Board Respondent			
Document Name: of Stephen Co						

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 222 MD 2022

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August 23, 2022



		DOCKET ENTRY			
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date	
	Preliminary Objections Zimmermann, Chad Westcott PGCB's POs to the Second Amenda Judgment and Ancillary Relief in the	Pennsylvania Gaming Control Boared PFR in the Nature of a Complainte CC's Original Jurisdiction	-		
July 15, 2022	Order Granting Application for Stay McCullough, Patricia A.			07/15/2022	
	Discovery is Stayed pending disposition of Preliminary Objections: AND NOW, this 15th day of July, 2022, upon consideration of the Motion to Stay Discovery filed by Respondents, and any response thereto, it is hereby ORDERED that the Motion is GRANTED. Discovery is hereby STAYED pending the disposition of Respondents' Preliminary Objections.				
August 3, 2022 Document Name:	Answer to Preliminary Objections Haverstick, Matthew Hermann Answer to Respondents' POs	Pom of Pennsylvania, LLC	Petitioner		
August 11, 2022 Document Name:	Answer to Preliminary Objections Haverstick, Matthew Hermann Answer to Respondent POs	Pom of Pennsylvania, LLC	Petitioner		
August 22, 2022	Order Filed Per Curiam			08/22/2022	
Document Name: Resps' Briefs in Support of their respective PO's shall be served within 30 days of this order Comment: Respondents' Briefs in Support of their respective Preliminary Objections (4 copies) shall be filed served no later than 30 days from the date of this order. Petitioner's Briefs in Opposition to Respond respective Preliminary Objections (4 copies) shall be filed and served within 30 days of service Respondents' respective Briefs. Reply Briefs (4 copies), if any, may be filed in accordance with R.A.P. 2113 and 2185(a). Upon receipt of all briefs, the Court will issue a further order indicating if this matter will be argued before panel of Judges of this Court or submitted on the papers.					
August 22, 2022 Document Name:	Entry of Appearance Dang, Miranda Lu pf Miranda Dang, esq. for Petitioner	Pom of Pennsylvania, LLC	Petitioner		